

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

WU WEI TONG,

Petitioner,

v.

CASE NO. 2:17-CV-1004
JUDGE GEORGE C. SMITH
Magistrate Judge Jolson

ATTORNEY GENERAL, *et al.*,

Respondents.

OPINION AND ORDER

On December 19, 2017, the Magistrate Judge issued a *Report and Recommendation* recommending that Respondent's *Motion to Dismiss for Lack of Jurisdiction* (ECF No. 4) be granted and that the petition for a writ of habeas corpus be dismissed as moot. (ECF No. 5.) Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The Report and Recommendation (ECF No. 5) is **ADOPTED** and **AFFIRMED**. The *Motion to Dismiss for Lack of Jurisdiction* (ECF No. 4) is **GRANTED**. This action is hereby **DISMISSED**.

Petitioner has failed his right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Therefore, the Court **DECLINES** to issue a certificate of appealability.

The Clerk is **DIRECTED** to enter final **JUDGMENT** of dismissal.

IT IS SO ORDERED.

s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT